

March 27, 1979

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a much higher rate than the industry would. What the amendment does is saying that they don't have to provide it at the lowest possible rate but they can provide it from any point from what they currently do now down to the lowest possible rate or at any point in between. This gives them a little bit more flexibility. I move for the adoption of the amendment.

SPEAKER MARVEL: Senator Duis, and then Senator Kahle. Senator Duis, do you wish to speak to the Simon amendment?

SENATOR DUIS: Yes, I want to ask Senator Simon a question if I might.

SENATOR SIMON: Yes, Senator Duis.

SENATOR DUIS: Senator Simon, what is to prevent them from doing that now?

SENATOR SIMON: When we had our hearings, the 161 had committee hearings across the state, it was told to us a number of times by utilities they could not implement this type of provision. Sometimes it has been called life line. They could not implement this type of provision because it was against state law.

SENATOR DUIS: Which law?

SENATOR SIMON: I can't tell you which law. All I know, Senator Duis, is that it came up so many times the committee felt that this permissive legislation should be offered.

SENATOR DUIS: Well I wish before I vote on this that you would be able to tell me which law this is opposed to because if I was to ask the utility for an interruptable rate I undoubtedly would be charged for an interruptable rate but I would also then stand the chance of losing my electricity should the demand need of those that were not interruptable would require the electricity. I am having a hard time following it really. I need to know the section of statute or what it is that they have reference to.

SENATOR SIMON: I can't tell you what the logical reasoning is, Senator Duis, but it did come up and Senator Fowler and Senator Rumery....

SENATOR DUIS: Well then I will ask Senator Fowler.

SENATOR SIMON: I don't think they can answer. All they